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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,104	04/28/2005	Yong Kwee	053466-0401	5920
	7590 08/23/201 LARDNER LLP	EXAMINER		
SUITE 500	T NIII	SANG, HONG		
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			1643	
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			08/23/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/533,104	KWEE ET AL.		
Examiner	Art Unit		

NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) hey raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 1. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 2. Applicant's reply has overcome the following rejection(s): NONE. 3. None amended claim(s). 3. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): NONE. 6. Nowly proposed or amended claim(s)		HONG SANG	1643					
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies: (1) an amendment, affidiaty, or other avidency, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.11; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires 2 months from the mailing date of the final rejection, b) ☐ The period for reply expires 3 months from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for THE FIRMA REJECTION. See MFEP 708.07(1). Extensions of time may be obtained under 37 CFR 1.195(a). The date on which the petition under 37 CFR 1.136(s) and the appropriate extension fee number 37 CFR 1.176(s) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; (2) as many reduce any examed patent term adjustment. See 37 CFR 1.776(b). NOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.1.37 must be filed within two months of the date of Notice of Appeal was been filed, any reply must be filed within the time period sor reply originally set in the mail office action, even if inney filed. ☐ The Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid diamissal of the appeal. Since a Notice of Appeal was been filed, any reply must be filed within the time period set froit in 37 CFR 41.37(a). AMENDMENTS ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise the issue of new matter (see NOTE below); (b) ☐ They raise new issues t	The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress				
application, applicant must timely file one of the following replies: (1) an amendment, afficavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.14. The reply must be filed within one of the following time periods: a) The period for reply expires 3 months from the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TW	THE REPLY FILED <u>06 July 2010</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
a) The period for reply expires 2_months from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire sort (1) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examer Note: If tox 1 is checked, check either box (6) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee was forther and the corresponding amount of the fee. The appropriate extension fee thave been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, over if timely filed, may reduce any amend paint term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on	application, applicant must timely file one of the following r application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavit al (with appeal fee) in compliance	t, or other evidence, www. with 37 CFR 41.31; or	hich places the (3) a Request				
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Continuation of 11. does NOT place the application in condition for allowance because: applicants arguments are not deemed persuasive to overcome the rejections of record.

Applicants presented the same arguments as in the previous response. These arguments are not deemed persuasive for the reasons set forth in the previous final office action. Specifically applicants argue that using less than a full length HM1.24 sequence could fail to activate CTL, as a shortened sequence may not contain residues required for activating CTL. This is not persuasive because as applicants stated: when a cancer protein is taken into DC cells, the protein is broken into peptides of about 8-10 amino acid residues, wherein the peptides complex with an MHC class I molecules, and the complex is presented on the surface of DC cells. Therefore, it was well known in the art that a full length protein is not required for inducing a T cell response (as further evidenced by Boccaccio, for example). The soluble HM1.24 disclosed in WO 200177362 is the extracellular domain of the full length HM1.24 sequence, as such would contain residues required for activating CTL. For these reasons, the rejection is deemed proper and is therefore maintained.